

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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STEVEN SCAGGS, et al.,

Plaintiffs,

- against -

ORDER

06-CV-799 (RRM) (WDW)

NEW YORK STATE DEPARTMENT OF  
EDUCATION, et al.,

Defendants.

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MAUSKOPF, United States District Judge.

By Motion filed March 14, 2008, Plaintiffs moved for class certification pursuant to Federal Rule of Civil Procedure 23. By Order entered November 7, 2008, this Court referred that motion to the assigned Magistrate Judge, the Honorable William D. Wall, for a Report and Recommendation. On March 16, 2009, Judge Wall issued a Report and Recommendation (the "R&R") that Plaintiffs' motion be denied. Judge Wall reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due "within 10 days." Neither party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. See Covey v. Simonton, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby

ORDERED that Plaintiffs' motion for class certification is DENIED.

SO ORDERED.

Dated: Brooklyn, New York  
March 31, 2009

s/RRM

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ROSLYNN R. MAUSKOPF  
United States District Judge